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EXAMINER

HILLERY, NATHAN

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 10/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/838,956	<b>Applicant(s)</b> PEIKES, WENDY	
	<b>Examiner</b> Nathan Hillery	<b>Art Unit</b> 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 8/22/05.
2. Claims 1 – 19 are pending in the case. Claims 1, 7, 11, 15 are independent.
3. The rejection of claims 1 –19 under 35 U.S.C. 103(a) as being unpatentable has been maintained.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1 – 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. The term "closely represents" in claim 1 is a relative term which renders the claim indefinite. The term "closely represents" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.  
Consequently, the Office cannot definitively discern how the syntactic structure represents the documentation content; thus, rendering the representation indefinite.
7. The term "closely represents" in claim 7 is a relative term which renders the claim indefinite. The term "closely represents" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Art Unit: 2176

Consequently, the Office cannot definitively discern how the syntactic structure represents the documentation content; thus, rendering the representation indefinite.

8. The term "closely represents" in claim 11 is a relative term which renders the claim indefinite. The term "closely represents" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Consequently, the Office cannot definitively discern how the syntactic structure represents the documentation content; thus, rendering the representation indefinite.

9. The term "closely represents" in claim 15 is a relative term which renders the claim indefinite. The term "closely represents" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Consequently, the Office cannot definitively discern how the syntactic structure represents the documentation content; thus, rendering the representation indefinite.

10. The term "English-like" in claim 1 is a relative term which renders the claim indefinite. The term "English-like" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Consequently, the type of syntax referenced in limitation (b) has been rendered indefinite.

Art Unit: 2176

11. The term "English-like" in claim 7 is a relative term which renders the claim indefinite. The term "English-like" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Consequently, the type of syntax referenced in limitation (b) has been rendered indefinite.

12. The term "English-like" in claim 11 is a relative term which renders the claim indefinite. The term "English-like" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Consequently, the type of syntax referenced in limitation (b) has been rendered indefinite.

13. The term "English-like" in claim 15 is a relative term which renders the claim indefinite. The term "English-like" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Consequently, the type of syntax referenced in limitation (b) has been rendered indefinite.

14. Regarding independent claims 1, 7, 11, and 15, it is unclear what applicant means by "actual documentation content" and "actual content" of limitation (b); i.e., the metes and bounds of "actual documentation content" and "actual content" are unclear. Consequently, all subsequent recitations of "actual documentation content" and "actual content" are also rejected.

***Claim Rejections - 35 USC § 103***

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 1 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dooley (US005893916A) and further in view of Husain et al. (Red Hat Linux) and Guheen et al. (US006721713B1).

17. **Regarding independent claim 1**, Dooley teaches that *the present invention generally operates by converting a UNIX man page, including text tags, to a formatted help topic file including corresponding formatting codes that are readable by the Windows help compiler. The help topic file (in Rich Text Format or RTF) may also be readable by another compiler such as Bristol Technology's HyperHelp compiler for UNIX which also accepts a similar format (Column 3, lines 29 – 35) and that after help topics have been built from the man files, one or more specialized macros are optionally executed to handle product-specific situations. In particular, a number of man page variations exist, each of which may require one or more specialized macros to handle unique formatting (Column 5, lines 49 – 54), compare with b) extracting a documentation requirement from said syntactic structure wherein said syntactic structure closely represents actual documentation content relating to said command and wherein English-like syntax corresponding to said documentation content models actual content associated with said command definition file; c)*

Art Unit: 2176

**extracting documentation options from said syntactic structure wherein said documentation requirement and said documentation options correspond to a partial fraction of said actual content associated with said command definition file; and d) combining said documentation requirement and said documentation options into a documentation tag construct.** Dooley teaches that *the preferred embodiment of the invention is implemented in one or more Word Basic macros which execute in a specifically developed Microsoft Word for Windows template file* (Column 3, lines 36 - 39), compare with **e) automatically generating a standard template for a documentation content file....** Dooley does not explicitly teach **a) examining a command definition file for a syntactic structure of a corresponding command.** However, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to do so in using the invention of Dooley because examining the **command definition file** or *UNIX man page* for its syntactic structure would aide in more efficiently converting the *UNIX man page* into a *formatted help topic file*. Further, Husain et al. illustrate on page 90 and teach that *you might have noticed that commands seem to be followed by numbers in brackets, usually (1). This refers to manual section* (p 91, note box), compare with **said command definition file comprises a linkpoint (manual section), a keyword (name), and an argument (options)** and that **said document content file comprises a natural language explanation of said keyword (name) and said argument (options).** It would have been obvious to on of ordinary skill in the art to combine the invention of Dooley with the teachings of Husain et al. because such a combination would provide the users of

Art Unit: 2176

Dooley the benefit of a user-friendly extension of UNIX, i.e. Red Hat Linux. Guheen et al. teach that *relevant control information, such as security and administrative information, derived, at least in part, from the parent (source) object's control information, will normally be automatically inserted into a new WAF content container object containing extracted WAF content. This process typically occurs under the control framework of a parent object and/or WAF installation control information executing at the user's WAF installation secure subsystem (Column 278, lines 32 – 40), that allow a user to securely edit at least a portion of said content while maintaining said content in a secure form within said WAF content container (Column 279, lines 1 – 3), and that the content management and publishing services component also includes localization and translation capabilities (Column 219, lines 43 & 44), compare with e) wherein said document content file provides a standard framework with automatically generated content and wherein said automatically generated content is end-user over-writable with one or more of documentation content and data of relevance and localized to said end-user.* It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Dooley and Husain et al. with the invention of Guheen et al. because such a combination would provide the users of Dooley and Husain et al. with *an invention that can be used to convey information regarding components of the current network framework (Column 2, lines 13 – 15).*

18. **Regarding dependent claim 2,** Dooley does not explicitly teach that **said command comprises a first command of a plurality of commands ...** However,



Art Unit: 2176

Husain et al. illustrate on page 90 that **said command comprises a first command (name) of a plurality of commands (see also) and wherein said document content file further comprises a natural language explanation of one or more of: a default value relating to said command; a usage (synopsis) relating to said command; a second command of said plurality of commands wherein said second command is related to said first command; and an example relating to said usage.**

19. **Regarding dependent claim 3**, Dooley teaches that *the present invention generally operates by converting a UNIX man page, including text tags, to a formatted help topic file including corresponding formatting codes that are readable by the Windows help compiler. The help topic file (in Rich Text Format or RTF) may also be readable by another compiler such as Bristol Technology's HyperHelp compiler for UNIX which also accepts a similar format (Column 3, lines 29 – 35), compare with e) copying said command definition file (UNIX man page) into a second command definition file (help topic file); and f) embedding said documentation tag construct (text tags/corresponding formatting codes) into said second command definition file wherein said documentation tag construct comprises a plurality of documentation tags.* Neither Dooley nor Husain et al. explicitly teach **wherein one of said documentation tags of said plurality relates to: said keyword; a string relating to said argument; an interface relating to said argument; and a number range relating to said argument.** However, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to use and/or modify the invention of Dooley and the teachings of Husain et al. to compare with **one of said**

**documentation tags of said plurality relates to: said keyword (*smcdiff*); a string relating to said argument (*smcfile1* or *smcfile2*); an interface relating to said argument (*smc:0600*); and a number range relating to said argument (*changed value*), since the results are illustrated in Fig 7 and derived from the document represented by Fig 6 as disclosed in Dooley (Column 2, lines 15 – 20).**

20. **Regarding dependent claim 4**, Dooley illustrates in Figure 7 that **one or more of said documentation tags of said plurality relates to: a documentation collection (*see also*) relating to said purpose; a default (*[first] description*) relating to said command; a history (*[second] description*) relating to said command; and an example (*synopsis*) of said usage, wherein values respectively relating to said default, said history, and said example are accessed from said documentation content file (Figure 6).**

21. **Regarding dependent claim 5**, Dooley teaches that *in addition, after all of the jumps have been created, additional formatting may be performed, e.g., removing other extraneous spaces, commas, and unmatched parenthesis as required (Column 7, lines 13 - 16), compare with g3) removing embedded commas, that the character at the beginning of each "See also" style paragraph is removed and replaced with a comma and space for consistency purposes (Column 5, lines 20 – 22), compare with g4) replacing embedded blanks with separator characters; that all of the manual page breaks are removed from the working document, and then manual page breaks are inserted at the beginning of each "Heading 1" style paragraph to thereby separate each help topic. In addition, in block 158, all of the text after the first word in each context*

*string footnote is deleted. This results in a context string for each help topic that is essentially the name of the command or function which is the subject of the help topic* (Column 5, lines 5 – 13), compare with **g5) selectively reordering names of said syntactic structure, g6) removing definite and indefinite articles to form a first product; and** that a *Add Parenthesis macro which is used to add parenthesis around "group" designations that may follow each man page function name. For example, for the aforementioned TOP END product, each man page function is grouped into one of five groups (1T, 2T, 3T, 4T and 5T). The Add Parenthesis macro basically searches each footnote and "Heading 1" style paragraph for one of the groups, and inserts parenthesis around any found group designations* (Column 5, lines 55 – 63), compare with **g7) surrounding said first product by diacritical markers to form a final product.** Dooley does not explicitly teach **fitable values**. However, Dooley does teach that *the browse sequence footnote is left blank, and at a later date, suitable browse sequence values may be input manually by an operator, or automatically through a separate macro configured to perform this particular function* (Column 5, lines 1 – 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to use the invention of Dooley and compare with **g1) examining available fields for fitable values, g2) choosing a best fit value from among said fitable values**, since the skilled artisan would want the users of the invention to have the most accurate information thus insuring that the suitable browse sequence value that will automatically be input by a macro implements an algorithm that will discern the best fit

Art Unit: 2176

value for the footnote and to accomplish it by use of some lookup table, which is one of the easiest and seamless ways known to those in the art.

22. **Regarding dependent claim 6**, neither Dooley nor Husain et al. explicitly teach **HTML**. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to use and/or modify the invention of Dooley and the teachings of Husain et al. to compare with **converting said documentation content to Hyper Text Markup Language**, since Dooley does teach that *the present invention discloses a method, apparatus, and program storage device for converting text-based man pages to formatted help topic files of the type including non-textual formatting codes. By automating this process, porting of applications is facilitated due to the decreased effort required to port the applications' associated on-line help documents* (Column 1, lines 56 – 62), and The Free Online Dictionary of Computing defines the *hlp files* (Column 3, line 15) discussed in Dooley as a *Microsoft Windows filename extension for hypertext WinHelp files* (<<http://foldoc.doc.ic.ac.uk>>).

23. **Regarding independent claims 7, 11 and 15**, the claims incorporate substantially similar subject matter as claim 1, and are rejected along the same rationale.

24. **Regarding dependent claims 8 – 10, 12 – 14, and 16 – 18**, the claims incorporate substantially similar subject matter as claims 3 – 5, and are rejected along the same rationale.

25. **Regarding dependent claim 19**, the claim incorporates substantially similar subject matter as claim 6, and is rejected along the same rationale.

***Response to Arguments***

26. Applicant's arguments filed 8/22/05 have been fully considered but they are not persuasive.

27. In response to Applicant's argument(s) that Dooley does not teach, disclose, or suggest **said syntactic structure closely represents actual documentation content relating to said command**, it should be noted that by applicant's own admission, Dooley expressly teaches "converting text-based [UNIX <sup>TM</sup>] man pages to formatted help topic files of the type including non-textual formatting codes." Dooley at col. 1, 11. 55-60. The Office has interpreted the text-based man pages of Dooley to be a syntactic structure that describes a command; the skilled artisan is well aware that a [UNIX <sup>TM</sup>] man pages are portions of a manual that describe a [UNIX <sup>TM</sup>] command. Therefore, in so far as the Office can interpret **said syntactic structure closely represents actual documentation content relating to said command**, in so far as can be understood as explained in the rejection under 35 USC 112, second paragraph.

28. In response to Applicant's argument(s) that Dooley does not teach, disclose, or suggest **English-like syntax corresponding to said documentation content models actual content associated with said command definition file**, it should be noted that by applicant's own admission, Dooley expressly teaches "converting text-based [UNIX <sup>TM</sup>] man pages to formatted help topic files of the type including non-textual formatting codes." Dooley at col. 1, 11. 55-60. The Office has interpreted the text-based man pages of Dooley to be an **English-like syntax corresponding to documentation**

**content**, in so far as can be understood as explained in the rejection under 35 USC 112, second paragraph.

29. In response to Applicant's argument(s) that Dooley does not teach, disclose, or suggest **said documentation requirement and said documentation options correspond to a partial fraction of said actual content associated with said command definition file**, it should be noted that Dooley teaches that *the present invention generally operates by converting a UNIX man page, including text tags, to a formatted help topic file including corresponding formatting codes that are readable by the Windows help compiler. The help topic file (in Rich Text Format or RTF) may also be readable by another compiler such as Bristol Technology's HyperHelp compiler for UNIX which also accepts a similar format* (Column 3, lines 29 – 35) as explained in the rejection under 35 USC 103(a) above. The Office has interpreted the text tags of Dooley to be substantially similar to the **documentation requirement and said documentation options**. Also, the UNIX man page of Dooley includes text tags and inherently includes content in addition to the text tags; therefore, the text tags are a partial fraction of the UNIX man page and is comparable to the claimed limitation(s) in so far as can be understood as explained in the rejection under 35 USC 112, second paragraph.

30. In response to Applicant's argument(s) that Husain et al. do not teach, disclose, or suggest **said syntactic structure closely represents actual documentation content relating to said command nor said documentation requirement and said documentation options correspond to a partial fraction of said actual content**

**associated with said command definition file**, it should be noted that The Office does not rely upon Husain to teach such limitations as outlined in the rejection under 35 USC 103(a) above.

31. In response to Applicant's argument(s) that Husain et al. do not teach, disclose, or suggest **English-like syntax corresponding to said documentation content models actual content associated with said command definition file**, it should be noted that by applicant's own admission, Husain expressly and clearly states the following: "Be warned, however, that man pages are often written in a very formal and stylized way that sometimes bears little resemblance to English." Husain at 90, underlining added for emphasis. The Office would like to note that Husain teaches that the man pages are often written ... not *a/ways* written. Furthermore, using the broadest, most reasonable interpretation of English-like especially in so far as can be understood as explained in the rejection under 35 USC 112, second paragraph, bearing little resemblance to English is comparable to English-like.

32. In response to Applicant's argument(s) that Guheen et al. do not teach, disclose, or suggest **said syntactic structure closely represents actual documentation content relating to said command; English-like syntax corresponding to said documentation content models actual content associated with said command definition file; nor said documentation requirement and said documentation options correspond to a partial fraction of said actual content associated with said command definition file**, it should be noted that The Office does not rely upon

Husain to teach such limitations as outlined in the rejection under 35 USC 103(a) above.

33. In response to Applicant's argument(s) that Guheen et al. do not teach, disclose, or suggest **said document content file comprises a natural language explanation of said keyword and said argument, wherein said document content file provides a standard framework with automatically generated content and wherein said automatically generated content is end-user over-writable with one or more of documentation content and data of relevance and localized to said end-user**, it should be noted that Guheen et al. teach that *the content management and publishing services component also includes localization and translation capabilities* (Column 219, lines 43 & 44) as outlined in the rejection of claims under 35 USC 103(a) above.

Inherently, localization implies a natural language; especially since WhatIs.com defines *localization (sometimes shortened to "l10n") is the process of adapting a product or service to a particular language, culture, and desired local "look-and-feel." ... In localizing a product, in addition to idiomatic language translation, such details as time zones, money, national holidays, local color sensitivities, product or service names, gender roles, and geographic examples must all be considered* ([http://searchcio.techtarget.com/sDefinition/0,290660,sid19\\_gci212496,00.html](http://searchcio.techtarget.com/sDefinition/0,290660,sid19_gci212496,00.html)).

### **Conclusion**

34. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP



Art Unit: 2176

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NH

*William L. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**  
*10/23/2005*